

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

COMMON CAUSE RHODE ISLAND, LEAGUE OF
WOMEN VOTERS OF RHODE ISLAND, MIRANDA
OAKLEY, BARBARA MONAHAN, and MARY
BAKER,

Plaintiffs,

- against -

NELLIE M. GORBEA, in her official capacity as Secretary
of State of Rhode Island; DIANE C. MEDEROS, LOUIS
A. DESIMONE JR., JENNIFER L. JOHNSON,
RICHARD H. PIERCE, ISADORE S. RAMOS, DAVID
H. SHOLES, and WILLIAM E. WEST, in their official
capacity as members of the Rhode Island Board of
Elections,

Defendants.

**TEMPORARY RESTRAINING
ORDER REQUESTED**

Case No. 1:20-cv-00318-MSM-
LDA

**PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

Plaintiffs, by and through their undersigned counsel, individually and on behalf of their members, hereby move for the issuance of a Temporary Restraining Order and, after hearing thereon, a Preliminary Injunction, pursuant to Rule 65(a) of the Federal Rules of Civil Procedure directing Defendants to suspend Rhode Island's requirement that citizens who choose to vote by mail ballot sign the certifying envelope which contains their ballot before a notary public or two witnesses pursuant to R.I. Gen. Laws §§ 17-20-2.1(d)(1), 17-20-2.1(d)(4) and 17-20-2.2(d)(1), for the September 8, 2020 Primary Election and the November 3, 2020 General Election.

Plaintiffs, by and through their undersigned counsel, request a Temporary Restraining Order conference, and if the requested relief is contested by Defendants, Plaintiffs request an

evidentiary hearing on the Preliminary Injunction. Plaintiffs anticipate that an evidentiary hearing of not more than two hours may also be required.

In support of the Motion, Plaintiffs rely upon the Complaint and the attached supporting Memorandum of Fact and Law, as well as the exhibits thereto, including the Declarations of Dr. Arthur Reingold, Dr. Michael Fine, and Plaintiffs Miranda Oakley, Barbara Monahan, and Mary Baker, as well as John Marion in his capacity as Executive Director of Common Cause Rhode Island, and Jane Koster in her capacity as President of the League of Women Voters Rhode Island.

Prior to filing this motion, on July 22, 2020, undersigned counsel notified Miriam Weizenbaum of the Department of Attorney General, Angel Taveras, counsel to Secretary of State Nellie M. Gorbea, and Raymond Marcaccio, counsel to the Board of Elections, of the within motion, and today provided electronic copies of the Complaint and the within Motion and supporting documents. Mr. Taveras informed Plaintiffs' counsel that the Secretary of State will not oppose Plaintiffs' motion for injunctive relief.

Respectfully submitted,

/s/ Lynette Labinger

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Cooperating counsel,

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/s/ Julie A. Ebenstein

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CERTIFICATION

I hereby certify that I filed the within document via the ECF system on this 23rd day of July, 2020, and that it is available for viewing and downloading to all counsel of record and that I provided the within documents by email to:

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/s/ Lynette Labinger
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